

### REMARKS

The foregoing amendments to the specification and the drawings (aside from the cross references to related (i.e., prior) applications seek to explicitly point out that the device shown in Figure 10 and described on page 31 relate to the work of an individual who does constitute an inventor in the present application. The person who drew and presumably devised the apparatus of Figure 10 bears the name of Roman Szpur. Mr. Szpur is also the inventor of U. S. patent 5,407,418.

Applicants do not know when Mr. Szpur created the device of Figure 10. However, Applicants K. A. Kelly and T. E. Lach met with Mr. Szpur on September 29, 1994, when he presented them with a copy of a drawing of his device. A copy of that drawing is attached as Exhibit A. That drawing also bears Mr. Szpur's signature and a date of "7 Jan. 94". At this point, Applicants can neither affirm nor dispute that date.

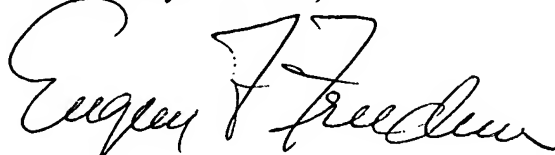
The present paper also constitutes an Information Disclosure Statement for the subject application. The attached Forms PTO/SB/08a and b list *all* of the references in the ancestors of this application. However, of the references listed on the attached Forms PTOL-1449, the following would appear to have the greatest significance since they were either cited initially or commented on by the examiner or were applied against the claims of the grandparent-great-grandparent application: Nemeth 2,754,817; Schock et al. 5,490, Hurvitz 820; 3,374,783; Wolfing 3,491,751; Cook 3,503,388; Derouineau 3,782,371; Buckman, Jr., et al. 5,484,391; Lehktman 5,167,602; Isaacson et al. 3,425,409; Lach et al. 4,770,164; Germany 624118; and NASA Tech Briefs--MSC--22148. The last item, NASA Tech Briefs--MSC--22148-1, may constitute prior art under 35 U.S.C. § 102 as shown on the face

of the enclosed copy. This statement is made to raise the point that this publication may constitute prior art. Copies of the cited references (except for the last-mentioned NASA Tech. Brief) are *not* enclosed since all the entries on the accompanying Form PTO/SB/08 were cited in various prior applications.

Lastly, the examiner who will handle the present application will probably wish to compare the claims now presented with those issued in Applicants' U. S. patents 5,738,637, 6,234,984, and 6,325,771 as well as the applications listed above. Since the claims of the present application bear some resemblance to those of the issued patents, the examiner should even possibly consider the appropriateness of a double patenting rejection of the present claims over those of the issued patent and the applications. If made, Applicants believe that such a rejection would take the form of a nonstatutory, obviousness rejection.

Applicants believe that the above has placed the present application in condition for allowance. They sincerely request this action. Should some minor impediment prevent this action, then the examiner is respectfully requested to contact Applicants' attorney at the telephone number given below. Hopefully, such a phone call will portend a substantial saving on the parts of the Patent and Trademark Office and Applicants.

Respectfully submitted,

A handwritten signature in cursive script, reading "Eugene F. Friedman".

Eugene F. Friedman  
Attorney for Applicant  
Reg. No. 25,627

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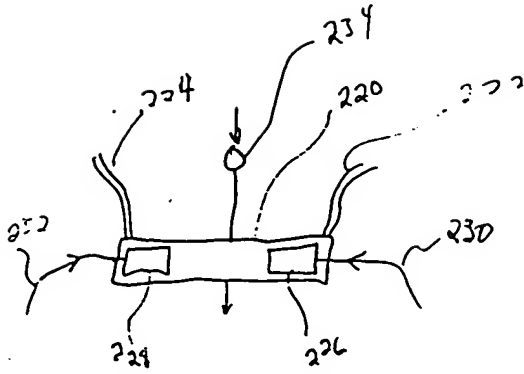
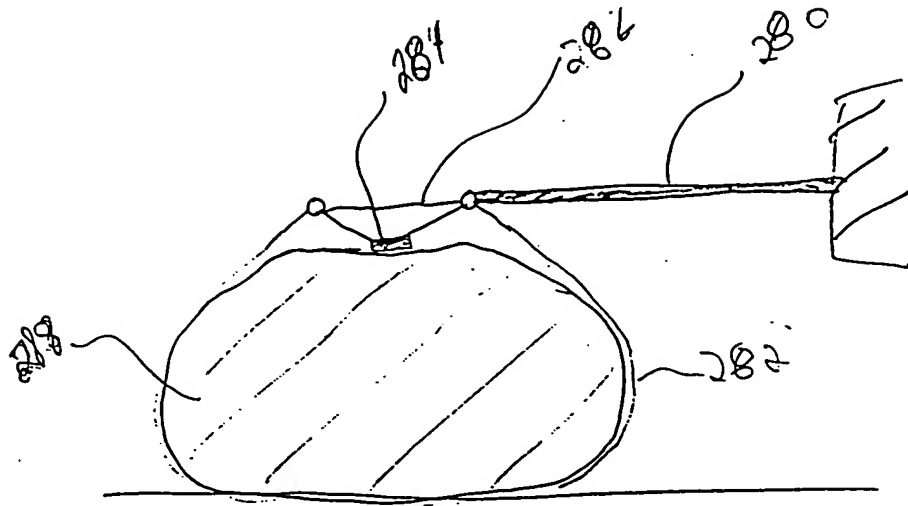
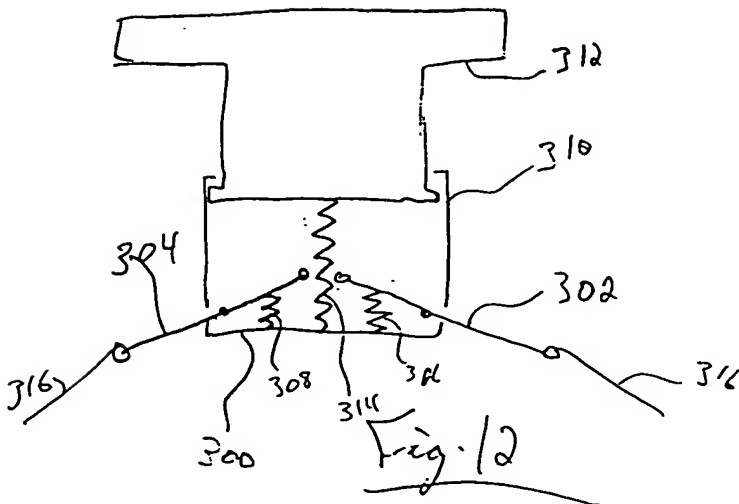


Fig. 8



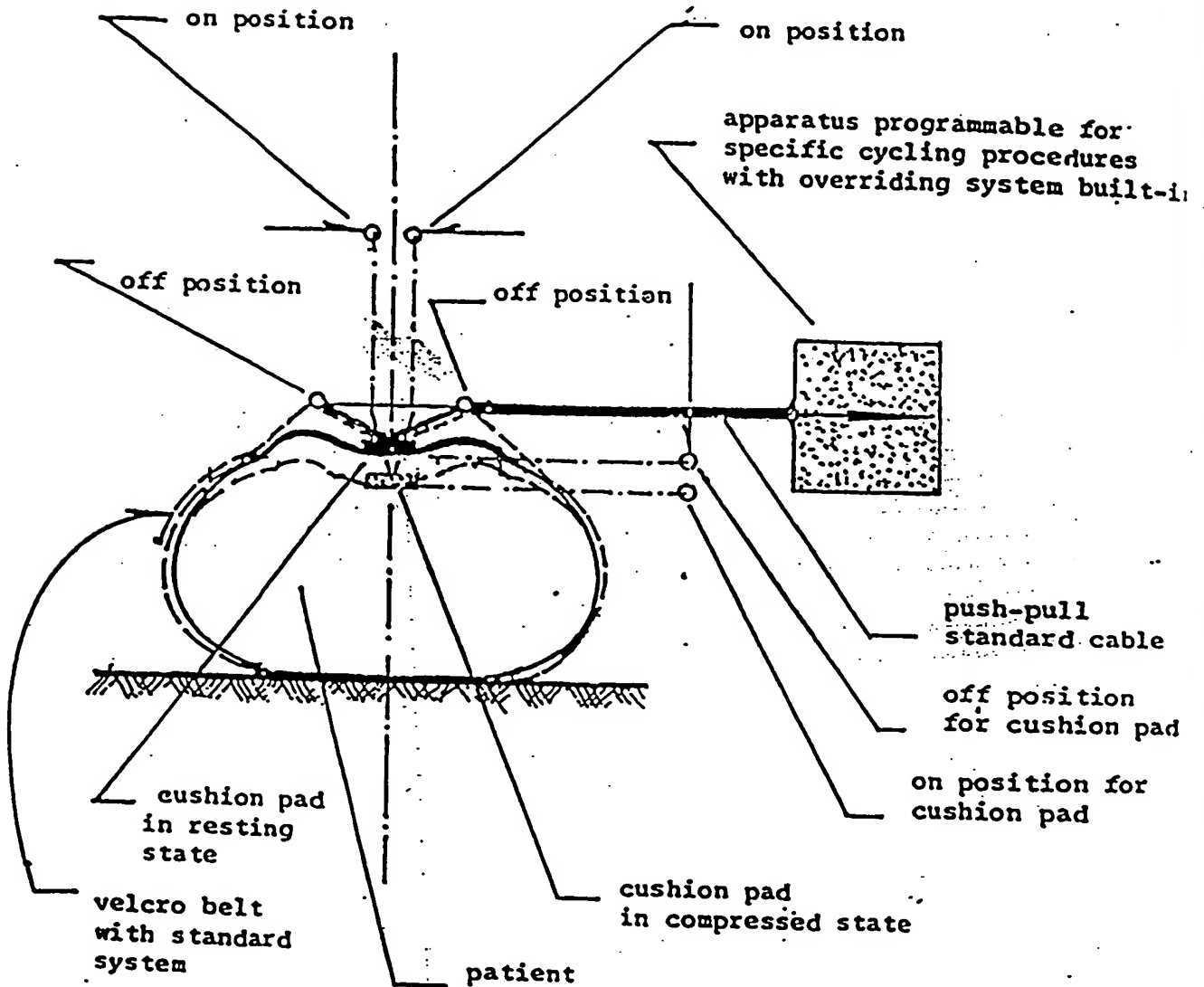
INVENTION OF ANOTHER  
Fig. 10



# AUTOMATIC RESUSCITATOR

operated with electrical power DC or AC

and or compressed air, other gases, etc.



Inventor: Roman Szpury date: 7 Jan. 94  
Roman Szpury

Read and Understood

Signature: [Signature] date: 8-28-94

Signature: Kenneth G. Kelly date: 9/28/94

EXHIBIT A